

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 27, 1982

An adjourned regular meeting of the Lodi City Council of the City of Lodi was held on Wednesday, October 27, 1982 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Absent: Council Members - None

Also Present: City Manager Glaves, Assistant City Manager Glenn, Public Works Director Ronsko, Community Development Director Schroeder, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Reverend Don Mulvihill, Pastor, English Oaks Church.

PLEDGE The Pledge of Allegiance was led by Mayor Reid.

PRESENTATIONS

AWARDS Presentations were made to Lodi artists Margie Buck and Joel Nichols, winners of the postcard contest sponsored by the Lodi Arts Commission.

PROCLAMATIONS Mayor Reid presented the following Proclamations:

- a) "Preventing Youth Problems Month" - received by Mr. Darrel E. Johnson, Lodi's representative to the Crime Awareness Prevention Commission.
- b) "Second Annual Safe Schools Week"

REPORTS OF
THE CITY
MANAGER

CONSENT
CALENDAR

In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by Council.

CLAIMS *cc 2 (a)* CLAIMS WERE APPROVED IN THE AMOUNT OF \$2,091,885.77.

cc 300
Council was apprised that Improvements in Lakeshore Village, Unit No. 1 have been completed in substantial conformance with the requirements of the Subdivision Development Agreement between the City of Lodi and Grupe Communities, Inc., dated May 4, 1981 and an Agreement Addendum dated August 5, 1981, and as specifically set forth in the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Kettleman Lane	0.00
Mills Avenue	0.38
Lakeshore Drive	0.22
Timberlake Circle	0.07
Sand Creek Drive	<u>0.05</u>
	0.72

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ACCEPTANCE OF COUNCIL ADOPTED RESOLUTION NO. 82-118 ACCEPTING THE SUBDIVISION/
LAKESHORE VILLAGE DEVELOPMENT IMPROVEMENTS AND STREETS INCLUDED IN TRACT MAP
IMPROVEMENTS NO. 1710 LAKESHORE VILLAGE UNIT NO. 1.

RES. NO. 82-118

Council was apprised that the contract for "Vine Street Paving, East of Lower Sacramento Road, Houston Lake Paving, South of Victor Road" was awarded to Claude C. Wood, Co. of Lodi on September 1, 1982, in the amount of \$31,481. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was October 16, 1982 and the actual completion date is October 14, 1982. The final contract price was \$37,744.90. The difference between the contract amount and the final contract price is due to an overrun in the base rock quantities and excavation for correction of unstable subgrade and an error in the amount of asphaltic concrete specified.

ACCEPTANCE OF
VINE STREET,
HOUSTON LANE
PAVING

COUNCIL ACCEPTED THE IMPROVEMENTS IN "VINE STREET PAVING, EAST OF LOWER SACRAMENTO ROAD, HOUSTON LANE PAVING, SOUTH OF VICTOR ROAD" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE THEREON.

Council was apprised that the Contract for "Lodi Community Center Demolition of Excess Building" was awarded to R. L. Hunger Building and Wrecking of Stockton on May 19, 1982 at no cost. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was September 1, 1982 and the actual completion date is October 6, 1982. The final contract price was \$-0-. The contractor did considerable extra work which offsets any liquidated damages that might be due.

ACCEPTANCE OF
IMPROVEMENTS,
HUTCHINS ST.
CENTER
DEMOLITION

COUNCIL ACCEPTED THE IMPROVEMENTS IN "LODI COMMUNITY CENTER DEMOLITION OF EXCESS BUILDING" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION THEREON.

COUNCIL APPROVED THE FOLLOWING SPECIFICATIONS AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON:

VARIOUS SPECS
APPROVED
PURCHASING
AGENT AUTHORIZ-
ED TO ADVERTISE
FOR BIDS

- 1) ANNUAL LANE LINE PAINTING AND REMOVAL OF MISCELLANEOUS PAVING MARKINGS.
- 2) UTILITY DEPARTMENT MEDIUM-SIZED PICKUP TRUCK.
- 3) A 15-KW STANDBY GENERATOR SET.
- 4) NINE THREE-PHASE PADMOUNTED TRANSFORMERS.
- 5) A 3,000 LB. CAPACITY INDUSTRIAL LIFT TRUCK.
- 6) 192 WATTHOUR METERS.
- 7) FOUR 167 KVA SINGLE-PHASE SUBMERSIBLE TRANSFORMERS
- 8) 16,000 FEET OF 15-KV KLP ALUMINUM CABLE.

AGREEMENT WITH
JAZZERCISE FOR
USE OF CITY
FACILITY
APPROVED

COUNCIL APPROVED AN AGREEMENT WITH DEBI CHEINE, REPRESENTING JAZZERCISE FOR THE USE OF THE HALE PARK BUILDING AT VARIOUS TIMES AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

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Council was apprised that the Homestead Oaks Subdivision is being developed by Bennett Development Incorporated. It is a four-lot condominium subdivision located on the north side of Murray Street west of Cherokee Lane. The developer is proposing four residential units on each lot. The off-site improvements are being installed under an encroachment permit and no subdivision agreement is required. The map is being filed to the requirements of condominium projects.

APPROVAL OF
FINAL MAP FOR
HOMESTEAD OAKS

COUNCIL APPROVED THE FINAL SUBDIVISION MAP FOR HOMESTEAD OAKS SUBDIVISION TRACT NO. 1685 AND DIRECTED THE CITY CLERK TO EXECUTE THE SUBDIVISION MAP ON BEHALF OF THE CITY.

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and an affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the appeal of Mr. and Mrs. Jon S. Koehnen, 810 Denby Way, Lodi, of the Lodi City Planning Commission's denial of his request for a zoning variance to permit a 6 foot fence in the required street side yard area at 810 Denby Way (i.e. Lot 27, Burlington Manor) in an area zoned R-2, Single-Family Residential.

The matter was introduced by Community Development Director James Schroeder, who presented diagrams of the subject area for Council's perusal and responded to questions as were posed by the Council.

Speaking on behalf of the appeal was Mr. Jon S. Koehnen, 810 Denby Way, Lodi. Mr. Koehnen indicated that he feels he needs a 6 foot fence for reasons of security and indicated that he had a petition signed by 13 neighbors stating they had no problems with the fence.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

APPEAL OF
JON S. KOEHNEN
810 DENBY WAY,
LODI,
CONDITIONALLY
GRANTED

A lengthy discussion followed with questions being directed to Staff and to Mr. Koehnen.

On motion of Councilman Pinkerton, Olson second, Council determined that a "hardship" as defined in the City Code did exist because 1) a privacy problem existed, and 2) a portion of the fence had been constructed previously at the 6 foot height and thereby granted the appeal of Mr. and Mrs. Jon S. Koehnen, 810 Denby Way, Lodi of the Lodi City Planning Commission's denial of his request for a zoning variance to permit a 6 foot fence in the required street side-yard area at that address (i.e. Lot 27, Burlington Manor) in an area zoned R-2, Single-Family Residential by the following vote:

Ayes: Council Members - Murphy, Olson, and Pinkerton

Noes: Council Members - Snider and Reid (Mayor)

Absent: Council Members - None

Further, on motion of Mayor Pro Tempore Murphy, Pinkerton second, Mr. Koehnen was directed by the Council to move the subject fence back 3 feet in the area of the side garage door.

Council requested that a Shirt Sleeve Session be set aside in the near future for review of the existing fence ordinance.

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10/27/82
PUBLIC HEARING Notice thereof having been published in accordance with law and
RE CONSIDERATION an affidavit of publication being on file in the office of the
OF DECLARATION City Clerk, Mayor Reid called for the Public Hearing regarding
OF SCHOOL the Declaration of Impaction dated September 7, 1982 by the Lodi
IMPACTION Unified School District Board of Trustees.
REPORT

CONTINUED TO On motion of Councilman Pinkerton, Murphy second, the Public
AFTER ELECTION Hearing was continued until after the election (to November
3, 1982 Council Meeting) for the outcome of Proposition 1 -
a \$500 million State Bond Issue for elementary and high school
construction.

[]
PLANNING
COMMISSION
REPORT

Council was apprised that the report of the last Planning
Commission Meeting was not available at the time of this
meeting.

10/27/82
COMMUNICATIONS

City Clerk Reimche reported that a letter had been received
from Pacific Gas and Electric Company regarding Application No.
82 09 51 requesting authorization effective December 1, 1982,
to decrease electric rates under the ECAC tariff. PG&E also
requests authority to establish an Electric Revenue Adjustment
Mechanism (ERAM) rate in accordance with Public Utilities
Commission Decision No. 93887.

11/4/82
PUC
APPLICATIONS

City Clerk Reimche reported that a Notice had been received
regarding Application No. 82-09-48 of Trailways, Inc. for
authority to increase one-way and round-trip intrastate
passanger fares and express charges pursuant to Sections 454
and 491 of the Public Utilities Code. This notice is served
pursuant to Rule 24 of the Rules of Practice of the California
Public Utilities Commission.

[]
CLAIM
11/2(C)

On motion of Councilman Pinkerton, Murphy second, Council
denied the Claim filed on behalf of Wilma Costello, DOL 4/25/82,
and referred the Claim to R. L. Kautz and Company, the City's
Contract Administrator.

11/2
ABC LICENSE
APPLICATIONS

City Clerk Reimche presented the following applications which
had been received for ABC Licenses:

- a) Bowser, Calvin M./Linda M.
Spear, Dana W.
Pacific Seafood
920 S. Cherokee Lane, Bldg. H
Lodi, CA 95240
Off sale beer and wine
- b) Karunaratne, Nehil M.
Famous Pizza
1030 S. Hutchins St.
Lodi, CA 95240
On sale beer and wine eating place
- c) Holland, James R.
Polk, Frank S.
219 E. Kettleman Lane
Lodi, CA 95240
Off sale beer and wine
- d) Hummel, Doug W.
Medina, Cheryl A./Steve
The Replay Saloon and Eatery
920 - D South Cherokee Lane
Lodi, CA 95240
On sale beer and wine eating place

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RESULTS OF
1982 SUMMER
PEAK-SHAVING
EFFORT

City Clerk Reimche presented the following information from Utility Director David K. Curry regarding the results of the 1982 Summer peak-shaving effort:

"We estimate that a total of 2,510 kw was shaved from projected monthly peaks for the period June-September, 1982. This estimate is based on the temperature and other conditions existing during the individual monthly peak demand periods.

Calculated at \$6.719 per kw, the above savings amount to \$16,864.69. Based on the City's commitment to the Community Center Project, 30% of the savings, or \$5,059.41 is to be donated to that fund."

UNMET TRANSIT
NEEDS PUBLIC
HEARINGS SET

On motion of Mayor Reid, Murphy second, Council set the following Public Hearings regarding unmet transit needs in the City of Lodi:

- 1) 3:00 p.m. - November 17, 1982 - Hale Park Recreational facility.
- 2) 8:00 p.m. - November 17, 1982 - Council Chambers - Regular Council Meeting.

RES. URGING
REPEAL OF
DAVIS BACON
ACT

Following introduction of the matter by Councilman Pinkerton, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-119 - Resolution of the City Council of the City of Lodi urging repeal of the Davis Bacon Act.

RES. NO.
82-119

City Clerk Reimche presented the following letter which had been received from Mary Jo Williams, President, Leroy Nichols PTA and Jerome Abatangle, Principal:

CROSSING GUARD
REQUEST AT
HAM AND
HIGHWAY 12

"Our P.T.A. has been watching with some concern our student crossings on Highway 12. The traffic has increased considerably and therefore pose a danger to our students. The Hutchins crossing has a guard to walk the children, but still some danger exists. Students are beginning to use the Ham Lane and Highway 12 more as housing begins to develop in the western area of the Beckman Ranch Subdivision. We feel that consideration should be given to placing a crossing guard at that point also.

We urge you to consider the guard at the Ham Lane and Highway 12 crossing and reply to us as soon as possible."

With the tacit concurrence of the Council, Mayor Reid referred the matter to Staff for investigation and information.

COMMENTS BY
CITY COUNCIL
MEMBERS

MARY JANE
BALLATORE
APPOINTED TO
LODI ARTS
COMMISSION

Mayor Reid, with the concurrence of the Council, on motion of Council Member Snider, Olson second, appointed Mary Jane Ballatore to fill the unexpired three-year term of Kathleen Terra on the Lodi Arts Commission.

COMMENTS BY
THE PUBLIC
ON NON
AGENDA ITEMS

Council received an informal proposal from Mr. J. Cope, 1012 Laurel Ave., Lodi, for draining, dredging, filtration, etc. of Lodi Lake. Mr. Cope was asked to meet with the City Staff to review a prior study that had been made of the Lake.

REGULAR
CALENDAR

REPORTS OF
THE CITY
MANAGER

Council received information from Doug Fritz, President of the Lodi Lions Club that one or more of the following members will

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be on-site supervisors during that Clubs workdays on the Hutchins Lane Entrance Project:

Glen Baumbach	Civil Engineer
Jim Jacobson	Supervising Engineer, W. M. Lyle Co.
C. L. Jones	General Contractor
HUTCHINS STREET MEDIAN PROJECT Terry Piazza	Civil Engineer
Joe Richards	Electrical Contractor
Lewis Singer	Building Contractor
Al Cross	Police Department

Council again expressed its appreciation to the Lodi Lions Club for their willingness to be an active part of this project.

Discussion followed regarding the project. No formal action was taken by the Council on the matter.

Agenda item k-2 "Closing of City Parks during certain hours was introduced by City Manager Glaves. A lengthy discussion followed with questions being directed to the City Manager, Staff, and the City Attorney.

CLOSING OF
CITY PARKS
DURING CERTAIN
HOURS

On motion of Mayor Pro Tempore Murphy, Snider second, pursuant to City of Lodi Code Section 15A-5, Council determined that the following parks within the City shall be posted to close at 10:00 p.m.:

TWIN OAKS
CANDY CANE
BECKMAN
BLAKLEY
LEGION
VINEWOOD
CENTURY
VAN BUSKIRK
EMERSON
ENGLISH OAKS COMMON

AREA AND
PARKING LIMITS
EXTENDED IN
PARKING LOT
NO. 5

Agenda item k-3 "Request for extended parking in the lot behind the Senior Citizens Club was introduced by City Manager Glaves. Additional information was provided by Public Works Director Ronsko and discussion followed.

RES. NO.
82-120

On motion of Council Member Snider, Murphy second, Council adopted Resolution No. 82-120 extending the area and the parking limits to five hour parking in a Section of Parking Lot No. 5.

CROSSWALKS
ESTABLISHED ON
THE WEST SIDE
OF SACRAMENTO
STREET ACROSS
TOKAY STREET
AND ON THE SOUTH
SIDE OF TOKAY
STREET ACROSS
SACRAMENTO
STREET.

Council was apprised that Christy Marion, 515 South Sacramento Street, Lodi, has requested the installation of the crosswalk at the west leg of the intersection as an aid to children crossing from the north side of Tokay Street to a school bus stop on the south side. The crosswalk on the south leg would be used by pedestrians crossing from the residential area west of Sacramento Street to the grocery and other businesses east of Sacramento Street. Council was apprised that Section 14-35 of the City Code establishes the City Council as the authority for the installation.

RES. NO. 82-121

On motion of Council Member Olson, Snider second, Council adopted Resolution No. 82-121 establishing crosswalks on the west side of Sacramento Street across Tokay Street, and on the south side of Tokay Street across Sacramento Street.

Continued October 27, 1982

Council was apprised that street improvements will soon be completed on Cluff Avenue between Lockeford Street and Turner Road. Upon completion it is proposed that Cluff Avenue be established as a through street from Highway 12 (Victor Road) to Turner Road.

This proposal would require vehicles to stop for Cluff Avenue at Black Diamond Way and Lockeford Street and, Cluff Avenue traffic would stop for Turner Road and Highway 12.

STOP SIGNS
ESTABLISHED ON
1) CLUFF AVE.
AT TURNER &
2) LOCKEFORD
STREET AT
CLUFF

At the present time Cluff Avenue traffic stops for Lockeford Street and the stop signs there would be reversed to give the right of way to Cluff Avenue (the major traffic generating Street). It is also felt that with the railroad tracks so close to Lockeford Street it is not wise to stop north bound traffic because there could be possible conflict with trains.

RES. NO.
82-122

Following discussion, with questions being directed to Staff, Council, on motion of Council Member Snider, Murphy second, adopted Resolution No. 82-122 establishing stop signs on 1) Cluff Avenue at Turner Road and 2) Lockeford Street at Cluff Avenue.

FUTURE STUDY
SESSION TO BE
SCHEDULE FOR
REVIEW OF SPEED
STUDY

Council, following an inquiry by Council Member Olson, was advised that the Public Works Department Speed Study recently completed will be reviewed by the Council shortly at a future Shirt Sleeve (Informal Informational) Session.

CITY ATTORNEY
GRANTED SALARY
INCREASE

City Clerk Reimche reported that the City Council of the City of Lodi in action taken at a Closed Session held October 6, 1982 granted City Attorney Ron Stein a salary increase effective October 1, 1982. Mr. Stein's new salary will be \$3,300.00 per month plus \$150.00 per month automobile allowance. This action carried by the following vote:

Ayes: Council Member - Olson, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Member - Murphy

Absent: Council Member - None

ESCROW AGREE-
MENT WITH
PG&E APPROVED

Following introduction of the matter, Council, on motion of Mayor Reid, Olson second, agreed in concept the establishing of an escrow fund for the monies in dispute between the City and PG&E resulting from the City's purchase of NW energy from NCPA and side agreement with WAPA. The motion carried by unanimous vote.

ORDINANCES
NCPA GEOTHERMAL
GENERATING
PROJECT NO. 3

Ordinance No. 1273 entitled - "An Ordinance of the City Council of the City of Lodi Authorizing the Issuance of Public Power Revenue Bonds by Northern California Power Agency (Geothermal Generating Project Number 3)" having been introduced at a regular meeting of the Council held October 6, 1982 was brought up for passage on motion of Councilman Pinkerton, Murphy second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

ORD. NOS.
1273, 1274,
1275 ADOPTED

Ayes: Council Members - Murphy, Olson, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Ordinance No. 1274 entitled - "An Ordinance of the City Council of the City of Lodi Authorizing the Issuance of Notes by Northern California Power Agency (Geothermal Generating Project Number 3)" having been introduced at a regular meeting of the Council held October 6, 1982 was brought up for passage on motion of Mayor Pro Tempore Murphy, Snider second. Second

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reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Olson, Murphy, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Ordinance No. 1275 entitled - "An Ordinance of the City Council of the City of Lodi authorizing the issuance of Public Power Revenue Refunding Bonds by the Northern California Power Agency" having been introduced at a regular meeting of the Council held October 6, 1982 was brought up for passage on motion of Council Member Olson, Murphy second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Olson, Murphy, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

AMENDMENT NO.
TWO TO MEMBER
AGREEMENT
(SECOND PHASE)
APPROVED

ORDINANCE NO.
1276 ADOPTED

1276
CC 149

Ordinance No. 1276 entitled - "Ordinance of the City Council of the City of Lodi approving the terms and conditions of amendment No. Two to the Member Agreement (Second Phase) for Financing and Development Activities of the Shell East Block Geothermal Project Between Northern California Power Agency and Certain Participating Members, and Authorizing the Execution of and Delivery of said Amendment by Officers of the City of Lodi" having been introduced at a regular meeting of the Council held October 6, 1982 was brought up for passage on motion of Mayor Pro Tempore Murphy, Reid second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Olson, Murphy, Pinkerton, Snider, and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

CITY OF LODI
CAPITAL
IMPROVEMENT
PROGRAM
JULY 1, 1982-
DECEMBER 31,
1983 ADOPTED

ORDINANCE NO.
1277 ADOPTED

1277
CC 149

Ordinance No. 1277 - entitled - "Ordinance adopting the City of Lodi Capital Improvement Program, July 1, 1982 - December 31, 1983 in the Amount of \$4,326,000" having been introduced at a regular meeting of the Council held October 6, 1982 was brought up for passage on motion of Mayor Pro Tempore Murphy, Snider second. Second reading was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Olson, Murphy, Pinkerton, Snider and Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 9:40 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk